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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,026	01/25/2006	Bertram Sugg	R.304045	8866
2119 7590 09/15/2008 RONALD E. GREIGG GREIGG & GREIGG P.L.L.C. 1423 POWHATAN STREET, UNIT ONE ALEXANDRIA, VA 22314				
EXAMINER GORDON, BRYAN P				
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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*In re* Application of SUGG, BERTRAM :  
Appl. No.: 10/540,026 : **WITHDRAWAL OF**  
Filed: January 25, 2006 : **RESTRICTION**  
For: PIEZOELECTRIC ACTUATOR AND A METHOD : **REQUIREMENT**  
FOR ITS MANUFACTURE : **37 CFR 1.144**  
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This letter is in response to applicant's petition, filed 8/8/08, to withdraw the holding of a restriction requirement in the final office action mailed 1/9/08.

Applicant's petition is GRANTED.

A review of the record indicates that the examiner's interpretation of newly presented claims 29-32 in the aforementioned office action was incorrect. Since claims 29-32 are apparatus claims, described as a product-by-process, they should not have been treated as method of making claims and, therefore, should have been examined along with the originally elected apparatus claims 9, 10, 13 and 14.

The application is being forwarded to the examiner for action on the merits of claims 29-32, as well as previously filed claims 9, 10, 13 and 14.

Any inquiries concerning this decision should be directed to Darren Schuberg at 571 272-2044.

/Sharon A. Gibson/  
Director, Technology Center 2800

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